

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE WORLD TRADE CENTER
LOWER MANHATTAN DISASTER SITE
LITIGATION

21 MC 102 (AKH)

NOTICE OF APPEAL

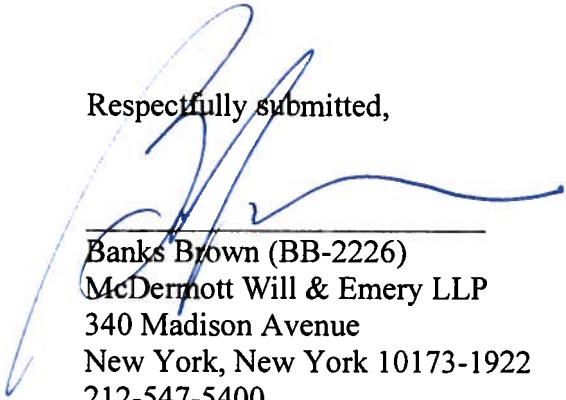
Notice is hereby given that the WTC Captive Insurance Company, Inc., hereby appeals to the United States Court of Appeals for the Second Circuit from the Order and Opinion entered in this action on July 13, 2012 (Dkt. No. 4341), and the Judgment that followed on July 23, 2012 (Dkt. No. 4344). The Order and Opinion asserts, "The WTC Captive Breached its Contract Obligation to Pay Contingent Payments," and held "that a Contingent Payment of five million dollars was due from the WTC Captive on January 5, 2012, and was payable January 20, 2012." (Order & Op. 8, 10.) The Judgment repeated this holding: "[T]he Court hold[s] that the settlement consideration of five million dollars was due and payable by the WTC Captive . . . on January 20, 2012." (J. 1.)

Dated: July 26, 2012

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Respectfully submitted,



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